Clerk of the United States Bancruptcy Court for the Southern District of New York One Bowling Green New York

Menney, the 23 December 2009

Bancruptcy case No: 08-1789 (BRL)

Claim No: 007188

Regarding: Opposition to the denial of Claim No. 007188

JAN -6 2010

Dear Sir or Madam,

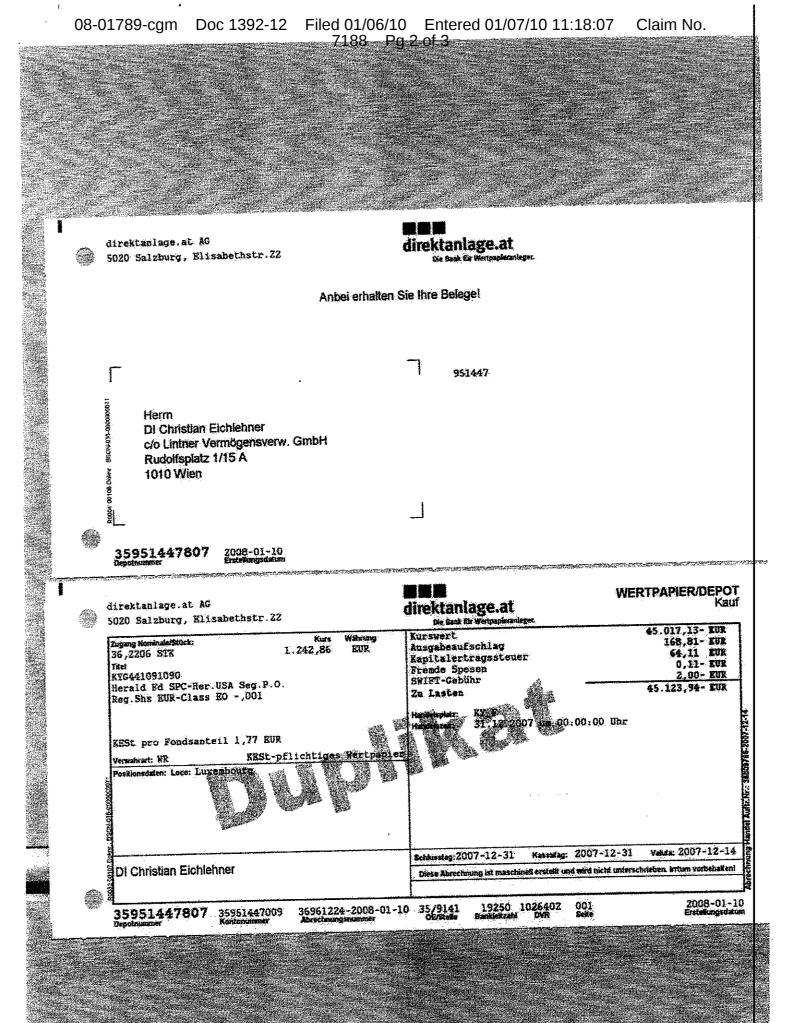
regarding the determination of the above mentioned claim by Irving H. Picard, Esq., Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff, we believe that although not being mentioned in the books of Bernard L. Madoff Securities Investments LLC (BLMIS) as direct customer we should be viewed as customers.

- The investment world since the inception of SIPA changed significantly; while
 formerly most investments were conducted via direct management of accounts, "state
 of the art" nowadays are investments via investment funds. So the purpose of the
 Securities and Investor Protection Act should be reviewed as a whole.
- As an investor in Herald Fund SPC I should be as well protected as an direct investors
 please find a copy of my Herald holdings enclosed.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,-. This amount not only contains redemption proceedings which the <u>vast majority of shareholders of the fund never received</u> but also tax payments which were made on behalf of shareholders and funded by their equity.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,- . In demanding this amount also from HSBC, the trustee claims money which the feeder funds i.e. their shareholders should be entitled too.

Because of these reasons, I oppose the denial of my claim and ask you to review my claim again and grant it.

Thank you in advance - yours faithfully

Christian Eichlehner Stefan Zweig Platz 11 A-1170 Vienna, Austria



direktanlage.at Sehr geehrte Kundin, sehr geehrter Kunde,

Die Bank für Wertpapiaranleger.

Pg 3 of 3

Wertpapier Aktien

Menge

Kenn-Nr.

Titel

10

AT0000637475 WR

MPC VENTURE INVEST GENUSSCHEINE SER.E Loco: Wien

25

EUR 1000

Fondsanteile

7188

Herrn DI Christian Eichlehner c/o Lintner Vermögensverw. Rudolfsplatz 1/15 A 1010 Wien

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irrtum vorbehalteni

wir übermitteln Ihnen hiermit ein Verzeichnis der für Sie verbuchten Werte. Wenn Sie binnen 6 Wochen nach Erhalt keine schriftlichen Einwendungen erheben, erklären Sie sich mit dieser Aufstellung einverstanden. Für die Ermittung der Kurswerte werden in der Repel die zum Stichtag zuletzt verfügbaren Kurse jener Börse, an der die jeweilige Position enworben wurde, herangezogen. Alle Kurse sind trotz sorgfättiger Ermittung ohne unsere Gewähr.
Erfäuterungen zu Abkürzungen finden Sie auf der Rückseite. Diese maschinelle Aufstellung wird von der Bank nicht unterschrieben

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Auszug-Nr. 1/2008 D U P Depot-Nr.: 35951447807 DI Christian Eichlehner 35/9141

direktanlage.at AG

AUFSTELLUNG per 31.12.2008

Kurswert

10.000

ESPA ALTERNATIVE MULTISTRATEGIE MITEIGENTUMSANTEILE - THESAURIEREND Loco: Wien 1.000 (26.11.2008) 95,13 (15.12.2008)

102,33 (30.09.2008) $1.328,74 \ (30.11.2008)$

29.673

48.12

30.47

28.890

36.245

KYG5807G1762

Man RMF I.S.-Event Dr.Str. Reg. Ptg. Shares H2 o.N. Loco: Pfäffikon

EUR

0,8187 (31.10.2008)

36,2206

KYG441091090 WR

Herald Fd SPC-Her.USA Seg.P.O. Reg.Shs EUR-Class EO -,001 Loco: Luxembourg

297,81 Stk

IE00B0B87X46 WR

Benchm.Alt.I.-Equity Opportun. Registered Shares Cl. B o.N. Loco: Luxembourg

303,69 Stk

AT0000495114 WR

DVR: 1026402

03.01.2009

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